SUPREME COURT OF THE UNITED STATES

October Term, 1968.

HORNBEAK *v.* HAMM, COMM'R REVENUE FOR ALABAMA.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA.

No. 260. Decided October 14, 1968.

PER CURIAM.

The motion to affirm is granted and the judgment is affirmed.

MR. JUSTICE BLACK, MR. JUSTICE HARLAN, and MR. JUSTICE STEWART are of the opinion that probable jurisdiction should be noted and the case set for argument.